

REMARKS

Claims 1-30 are pending in the application. Claims 31-50 were cancelled from the application without prejudice in a Preliminary Amendment filed contemporaneously with the application.

Amendment of Inventorship

By an amendment mailed December 17, 2003, Applicant requested that the inventorship on the above-identified application be amended pursuant to 37 C.F.R. § 1.48(B). Since the present Office Action still lists "Wolff et al." as inventors, Applicant again requests amendment of inventorship in the subject application.

Please amend the above-identified application under 37 C.F.R. § 1.48(B) to remove Fiona Baker and John Langridge as inventors. Fiona Baker and John Langridge are being removed as inventors of the application because the invention that they contributed to, the pharmaceutical composition of claims 31-50, is no longer being claimed in this application.

The Obviousness-type Double Patenting Rejection

The Examiner rejected claims 1-9 and 13-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent No. 6,303,607 B1.

The Examiner rejected claims 1-7 and 18-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 6,479,496 B1.

The Examiner rejected claims 1-9 and 13-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,525,057 B2.

The Examiner rejected claims 1-7 and 20-30 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-27 of U.S. Patent No. 6,620,814 B2.

The Examiner's rejection has been overcome by submitting 4 Terminal Disclaimers to the USPTO on the same date this Reply is being mailed. The Terminal Disclaimers are directed to U.S. Patent No. 6,303,607 B1; U.S. Patent No. 6,479,496 B1;

U.S. Patent No. 6,525,057 B2; and U.S. Patent No. 6,620,814 B2. The filing of the Terminal Disclaimers directed to the '607, '496, '057, and '814 patents overcomes the Examiner's obviousness-type double patenting rejection.

Provisional Obviousness-type Double Patenting

The Examiner has provisionally rejected claim 1 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 6 of copending Application No. 10/382,266.

Applicant believes that with the subject Reply to the outstanding Office Action the subject application is in condition for allowance. Applicant respectfully asks the Examiner to remove this provisional obviousness-type double patenting rejection in view of the subject Reply.

Objection to Claims 10-12

The Examiner has objected to claims 10-12 as being dependent upon a rejected base claim (claims 1, 2, and 9).

Applicant believes that the filing of the Terminal Disclaimers discussed above overcomes the Examiner's objection to claims 10-12 and asks that the Examiner withdraw his rejection to claims 10-12.

No new matter has been added to the application by way of this Reply. Applicant requests reconsideration and allowance of pending claims 1-30.

Respectfully Submitted,

Date: *June 22, 2004*

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